

REMARKS

Claims 1-7 are pending in the present application and stand rejected. Claims 2 and 7 have been withdrawn from consideration. By the present amendment, claims 1 and 8 have been amended.

Responsive to the objection to the Title, Applicant has amended the Title in accordance with the Examiner's proposal.

Applicants have filed concurrently herewith a Substitute Specification, including a marked up and a clean copy, placing the Application in the preferred layout for the specification of a utility application.

Responsive to the rejections of claims 1, 3-6 and 8-17 based upon informalities, Applicant has amended claims 1, 3-6 and 8-17 and submits that claims 1, 3-6 and 8-17 are now in condition for allowance, which is respectfully requested.

Responsive to the rejection of claim 8 under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling, Applicant has amended claim 8 and submits that claim 8 is now in condition for allowance. More specifically, Applicant has amended claim 8 to specify that the coating is porous, the porous coating being formed by at least one of applying a thin layer of the powder onto the surface of the fabric and wetting the surface of the fabric with a liquid before subsequently applying the powder onto the surface of the fabric before subsequently drying off the liquid in the melting step to form pin holes in the coating layer. This is found, for example, at paragraph [0016] of the Substitute Specification filed concurrently herewith.

For the foregoing reasons, Applicant submits that claim 8 is now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 1, 3-6 and 8-17 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject

matter which Applicant regards as the invention, Applicant has amended claims 1, and 3-6 and 8-17 depending therefrom. More specifically, claim 1 was rejected for failing to provide sufficient antecedent basis for “said coating layer” found in line 4 of the claim. Applicants have amended claim 1 to provide proper antecedent basis for “said coating layer”. Claim 5 was rejected for the inclusion of an epoxide double bond in an unsaturated group. Responsive thereto, Applicant has amended claim 5 to specify that the “unsaturated groups contain at least one of acrylate, methacrylate, vinyl ether, maleimide and at least one of maleic and fumeric double bonds”. Responsive to the rejection of claim 8 for indefiniteness, Applicant has amended claim 8 to specify that the coating is porous, the porous coating being formed by at least one of applying a thin layer of the powder onto the surface of the fabric and wetting the surface of the fabric with a liquid before subsequently applying the powder onto the surface of the fabric before subsequently drying off the liquid in the melting step to form pin holes in the coating layer. Responsive to the rejection of claim 16, although the UV wavelength is within the claimed range, Applicant has amended claim 16 to remove the specified wavelength range for purposes of clarification.

For the foregoing reasons, Applicant submits that claims 1, 3-6 and 8-17 are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 1, 3-6 and 9-17 under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as being unpatentable over Moens, et al., WO 03010248 (U.S. Patent No. 6,995,194 in the same family), Applicant has amended claim 1.

Moens, et al. (hereinafter “Moens”) discloses polymeric powder compositions, hardenable by radiation usable as paint or varnish, comprising a mixture of at least one (meth)acryloyl group containing polyphenoxy resin and at least one (meth)acryloyl group containing resin different from the polyphenoxy resin and from a (meth) acryloyl group containing amorphous polyester,

and optionally at least one (meth)acryloyl group containing monomer or oligomer. (Col. 1, lines 4-11). The radiation curable powder compositions can be applied to, for example, metal, paper, cardboard, wood, fiber board, textiles and plastics. (Col. 10, lines 3-10). Moens further relates to a process for coating an article including the steps of 1) applying to the article a radiation curable powder composition by, for example, spraying with a triboelectric or electrostatic spray gun or by deposition in a fluidized bed; 2) melting the coating; and 3) curing the coating in the molten state by UV irradiation or by accelerated electron beams. (Col. 7, lines 66 – Col. 8, lines 1-9). The coatings deposited are melted by the application of heat, e.g., in a forced oven or by means of infrared lamps at a temperature of between 80 and 150° C. (Col. 9, lines 51-54). The curing of the molten coating by UV radiation is by, for example, medium pressure mercury vapor UV radiators. (Col. 9, lines 57-62). Moens further specifies that, when photocuring the powder composition with UV radiation, at least one photo-initiator is essential. (Col. 8, lines 15-19). Suitable indicators include hydroxycyclohexylphenylketone. (Col. 8, line 31).

In contrast, amended claim 1a recites in part:

...preheating said fabric to aid said powder application by enabling said powder to stick to said fabric.

Applicant submits that such an invention is neither taught, disclosed nor suggested by Moens or any of the other cited references, alone or in combination and has distinct advantages thereover.

Although Moens discloses a process for coating an article, for example metal, paper, cardboard, wood, fiber board, textiles and plastics, including the steps of 1) applying to the article a radiation curable powder composition; 2) melting the coating; and 3) curing the coating in the molten state by UV irradiation or by accelerated electron beams, it fails to disclose preheating the fabric to aid the radiation-curable powder

application by enabling the powder to more effectively stick to the fabric.

Advantageously, this enables a specific surface topography to be formed on the fabric.

For the foregoing reasons, Applicant submits that claim 1, and claims 3-6 and 9-17 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

Claims 12 and 14-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Moens. However, claims 12 and 14-17 depend from independent claim 1, which is in condition for allowance for the reasons delineated above. Accordingly, Applicant submits that claims 12 and 14-17 are now in condition for allowance, which is hereby respectfully requested.

For the foregoing reasons, Applicant submit that the pending claims are definite and do particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Moreover, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and allowance of the claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petition therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,

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